

## The Idaho EMTALA Case

**Case Name:** *State of Idaho v. United States of America*

**Case Status:** U.S. Supreme Court to hear oral argument on April 24, 2024.

**Significance:** Whether the Biden administration can manipulate federal law to override Idaho's law that protects life.



**Background:** In 2020, Idaho passed the Defense of Life Act to protect the lives of women and their unborn children, preventing doctors from performing abortions unless necessary to save the life of the mother. Idaho's law was set to go into effect in 2022 shortly after the U.S. Supreme Court restored Americans' freedom to protect life in *Dobbs v. Jackson Women's Health Organization*.

In August 2022, the Biden administration sued Idaho, claiming that the administration could use a federal law, the Emergency Medical Treatment and Active Labor Act (EMTALA), to override Idaho's life-affirming law and force emergency room doctors to perform abortions. But EMTALA says nothing about abortion and actually *requires* that emergency rooms provide care to pregnant women and their "unborn child[ren]." After a lower court prevented Idaho from enforcing its law, Idaho Attorney General Raúl Labrador assembled a team of Supreme Court experts that included his Office of Solicitor General, Alliance Defending Freedom, and Cooper & Kirk to ask the U.S. Supreme Court to prevent the Biden administration from manipulating EMTALA to override Idaho's law.

In January 2024, the Court agreed to hear the case and said Idaho could enforce its law and protect the lives of women and children as the litigation continues. The Office of the Idaho Attorney General will defend Idaho's law before the Court on April 24, 2024.

### Key Points

- Both Idaho's law and EMTALA seek to protect the lives of women and their unborn children. But the Biden administration is manipulating EMTALA to override Idaho's law and demand that emergency room doctors perform abortions.
- The Biden administration is trying to override Idahoans' choice to preserve life.
- The Biden administration's lawless manipulation of EMTALA will harm women and children.
- The government should never force a doctor to perform an abortion.

**The Bottom Line:** The people of Idaho chose to protect life. The Biden administration is manipulating federal law to override Idaho's life-affirming law and force emergency room doctors to take vulnerable lives. The administration's actions are lawless.